

blind obstruction of justice as prohibited by well-settled criminal law (18 U.S.C. §4, *et al.*) and intentionally denied fundamental edicts of due process of law. The false pretense amplified by the Court, its officers, the Office of the Clerk of the court and federal prosecutors have the culminating affect of a criminal violation of Defendant's civil rights. See 18 U.S.C., §241 & §242; See also: **United States v. Price** and **United States v. Williams** (*citations unavailable – access to prison law library restricted by pundits of the Court – the United States Bureau of Prisons.*)

Granting Defendant Maurice Clifton summary and immediate entitled relief is mandated without discretion by the First, Fifth and Fourteenth Amendments (U.S.C.A., Amend 1st, 5th and 14th) of the United States Constitution. To continue to deprive the entitled relief to Defendant amounts to an intentional deprivation of due process and meaningful access to the Federal Court.

Honorable, Mr. Neal B. Biggers, Presiding Judge must construe this Motion to do the most good for the Defendant which in affect benefits the Court and the American People-at-Large. The Defendant should not be circumstantially reduced to having to beg for "Liberty and Justice for All" Thank you for your attention.

BACKGROUND

On June 14, 2018, Defendant Maurice Clifton filed with the Clerk of the Court a verified Motion to Reopen this criminal case because the administration of justice was contrary to due process and prejudicial to Defendant. The indictment, conviction, sentence and resulting questionable imprisonment are repugnant to the First, Fifth, Sixth and Fourteenth Amendments (U.S.C.A., Amends. 1st, 5th, 6th, and 14th) of the United States Constitution and contrary to the mandate of the Supreme Court which specifically sets forth that "any judgment or conviction repugnant to the Constitution shall never be sustained or allowed to go undisturbed." See memorandum in support hereof.

SUMMARY ARGUMENT VERIFIED STATEMENT OF FACTS

All relevant facts as set forth in Defendant's June 14, 2018, Motion to Reopen Case, numbered one through ten are adopted herein and made a part hereof.

Defendant further states that there has been no valid objections to Defendant's Motion to Reopen Case from the Plaintiff, Government or anyone else. The Defendant's motion should have been granted by Judge Biggers as unopposed as a matter of local rules of the Court. Judge Biggers sat in defiance of the local rules of the Court and refused to give Defendant any meaningful consideration whatsoever.

The Government admitted to "not responding to the nonsensical Motion to Reopen..." (ECF 101) and offered a lame reason for its willful negligence.

The unauthorized document is titled "Government's Response in Opposition to Motion to Reopen Case and for Clerk's Default (Doc. 100)" as purportedly filed by Assistant United States Attorney Paul. D. Roberts without permission of the Court on August 9, 2018. Although local rules mandate that Mr. Roberts' "nonsensical" purported response was required to be filed on or before June 29, 2018, the Government's unauthorized and untimely August 9, 2018, filing without leave of Court constitutes no filing at all. Therefore, the Government has conceded by default any and all relief prayed for in Defendant's June 15, 2018 Motion to Reopen this case.

This Court, Judge Biggers and the Clerk of the Court excused the Government's intentional negligence and defiance to the local rules of the Court. The continuant fraud on the Court is fatally prejudicial to Defendant Maurice Clifton. The Court and the Office of the Clerk also excused Mr. William C. Lamar and Mr. Paul D. Roberts' legal incompetence and apparent attempt to take advantage of Defendant's *Pro Se* status. This unethical practice is being reported as required to the

Mississippi Bar Association, Bar Number 8479 and 5592, respectively and to the Federal Office of Professional Responsibility (“OPR”).

The Fraud on the Court is no longer subtle.

The Clerk of the Court refused to grant the mandatory default as required by the Rules of the Court. Judge Biggers allowed the Government to file a defective response out of time and in an essentially “closed case”. If the case *is* closed, Judge Biggers was without subject matter jurisdiction to consider the Government’s fatally defective purported response which was required to be dismissed. Notwithstanding the foregoing, Judge Biggers once again operating without the required subject matter jurisdiction involuntarily referred this “closed case” to the Court of Appeals for consideration of whether or not to issue a “Successive Certificate of Appealability” under Section 2255. See attached Order of Judge Biggers.

Notwithstanding the fact that Defendant’s unopposed and conceded Motion to Reopen the closed case can only be construed under FRCP Rule 60(b) and the Court never construed said motion as a §2255, Request for Entitled Relief, the Circuit Court of Appeals *Sua Sponte* and correctly dismissed the improperly referred Fifth Circuit Review For Want of Jurisdiction.


The Clerk of the District Court blatantly refused to enter the default of the Clerk for the Government’s failure to timely respond as routinely done as a matter of law. Defendant Maurice Clifton has been irreparably harmed and discriminated against as an undue exception to the lawful administration of Justice. Judge Biggers has failed to enter the default judgment of the Court as required by automatic operation of law. See Memorandum for authoritative citation as made a part hereof by reference.

Defendant's absolute right to due process has been both compromised and unlawfully suspended. The Court's bad actors have been needlessly enriched at the prejudicial expense of the Constitutionally entitled Defendant.

Wherefore, Defendant Maurice Clifton, Non-attorney, Non-lawyer, *In Propria Persona* ("Pro Se") verily prays that this Honorable Court, Judge Neal B. Biggers, Jr., will reverse its unconstitutional course of action and grant any and all entitled relief as set forth in Defendant's June 15, 2018, Motion to Reopen this Case as Unopposed and Conceded; and in Defendant's September 5, 2018, Motion to Strike, Vacate and Dismiss for Fraud on the Federal Court; and immediately enter the Clerk's Default Order and the Court's default judgment and immediate release order.

Defendant prays for such further and additional relief as lawfully warranted and constitutionally mandated and entitled. God Bless this Honorable Court. God Bless America!

Very Respectfully Submitted,


Maurice Clifton, Defendant
USM# 10590-042 or 28332-077
Petitioner, Movant, *In Propria Persona*

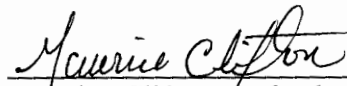
Dated: ~~November~~ 27, 2018

Non-Attorney, Non-Lawyer
Defendant, Petitioner, Movant
In Propria Persona
Maurice Clifton
USM# 10590-042 or 28332-077
Forrest City Correctional Complex
Post Office Box 9000 (Low)
Forrest City, Arkansas 72336-9000

CERTIFICATE OF SERVICE

Maurice Clifton being first duly sworn and under oath states that he served this Notice on the following parties-in-interest along with all relevant attachments *via* first class mail, addressed as indicated, with proper postage prepaid and mailed from the U.S. Postal receptacle in the Wynne Unit C (*mail box rule applies*) building on Tuesday, November 27, 2018, before the hour of 4:00 p.m., Federal Correctional Complex, Forrest City, Arkansas 72336-9000.

Respectfully Submitted,



Maurice Clifton, Defendant
Non-Attorney, Non-Lawyer, *Pro Se*

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